

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN R. BLUMATTE, a/k/a ROBERT ANGONA, :
a/k/a JOHN BLUE, :

Plaintiff, :

-v- :

GERARD QUINN, et al., :

Defendant. :
----- X

07 Civ. 2944 (JSR)

ORDER

USDC SDNY
DOCUMENT
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DATE FILED: 2-5-08

JED S. RAKOFF, U.S.D.J.

Pursuant to a joint telephone conference held earlier today, and on representation of plaintiff's counsel that plaintiff is in dire health, plaintiff's counsel is hereby permitted, notwithstanding that their case is otherwise closed, to take the deposition of Mr. Blumatte to preserve his testimony in the event of any remand following appeal. Counsel for all affected parties should agree on a date and place for such deposition, which should occur no later than March 7, 2008. Notwithstanding that final judgment will otherwise be entered pursuant to the Court's order of earlier today, the Court will retain ancillary jurisdiction for the limited purpose of resolving any dispute that might arise regarding the taking of the deposition.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
February 4, 2008